

**VARNELL, STRUCK &
ASSOCIATES, INC.,**

PLAINTIFF,

v.

LOWE’S COMPANIES, INC.,

DEFENDANT

THIS MATTER is on the Defendant's "Consent Motion To Lift Stay..." (document #16) imposed by the Court on June 23, 2006, and to set a deadline of November 7, 2006, for Defendant to respond to the Complaint. Upon consideration of the motion, made with the consent of Plaintiff, and for good cause shown,

1. The stay of this matter imposed by the Court on June 23, 2006 is **LIFTED**,
2. The Defendant shall have until November 14, 2006 to file and serve all Rule 9 and 12 motions in response to the Complaint;
3. Defendant will file and serve its Answer to any remaining counts in the Complaint within twenty (20) days from the Court ruling on motions directed to the pleadings; and,
4. The parties shall conduct their Rule 26(f) conference on or before November 30, 2006.

SO ORDERED.

Signed: October 30, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

